

1 Christopher J. Koenigs, Esq.
2 Michael B. Carroll, Esq.
3 SHERMAN & HOWARD L.L.C.
4 633 Seventeenth Street, Suite 3000
5 Denver, Colorado 80202
6 Telephone: (303) 297-2900
7 Facsimile: (303) 298-0940
8 E-mail: ckoenigs@shermanhoward.com
9 mcarroll@shermanhoward.com
10 *Attorneys for Defendant*
11 *Qwest Communication Company, LLC*
12 *(Lead Counsel)*
13
14 Matthew C. Addison, Esq., NSBN 4201
15 MCDONALD CARANO WILSON LLP
16 100 W. Liberty Street, Tenth Floor
17 Reno, NV 89501
18 Telephone: (775) 788-2000
19 Facsimile: (775) 788-2020
20 E-mail: maddison@mcdonaldcarano.com
21 *Attorneys for Defendants*
22 *Qwest Communications Company, LLC,*
23 *Level 3 Communications, LLC,*
24 *Sprint Communications Company, L.P.*
25 *and WilTel Communications, LLC*
26 *(Local Counsel)*

27 Joseph E. Jones, Esq.
28 FRASER STRYKER PC LLO
109 South 17th Street
500 Energy Plaza
Omaha, Nebraska 68102
Telephone: (402) 341-6000
Facsimile: (402) 341-8290
E-mail: jjones@fslf.com
29 *Attorneys for Defendant*
30 *Level 3 Communications, LLC and*
31 *WilTel Communications, LLC*
32 *(Lead Counsel)*

33 J. Emmett Logan, Esq.
34 STINSON MORRISON HECKER
35 LLP
36 1201 Walnut, Suite 2900
37 Kansas City, MO 64106
38 Telephone: (816) 842-8600
39 Facsimile: (816) 691-3495
40 E-mail: ELogan@stinson.com
41 *Attorneys for Defendant*
42 *Sprint Communications Company*
43 *L.P. (Lead Counsel)*

44 UNITED STATES DISTRICT COURT

45 DISTRICT OF NEVADA

46 ELIZABETH WEAR and JOHN
47 BUTCHER, and CARMEN WORSTELL,
48 on behalf of themselves and all others
49 similarly situated,

50 Case No: 2:11-cv-00809-KJD-GWF

51 Plaintiffs,

52 vs.

53 SPRINT COMMUNICATIONS
54 COMPANY, L.P., QWEST
55 COMMUNICATIONS COMPANY, LLC;
56 LEVEL 3 COMMUNICATIONS, LLC; and
57 WILTEL COMMUNICATIONS, LLC;

58 Defendants.

59
60 DEFENDANTS' UNOPPOSED MOTION FOR
61 ENLARGEMENT OF TIME TO RESPOND TO THE COMPLAINT
62 (SECOND REQUEST)

Pursuant to Federal Rule of Civil Procedure 6(b)(1)(A), defendants Sprint Communications Company L.P., Qwest Communications Company, L.L.C., Level 3 Communications, L.L.C., and WilTel Communications, L.L.C. (collectively "Defendants") hereby move the Court for an extension of time to respond to plaintiffs' Amended Class Action Complaint (the "Complaint") to and including October 31, 2012. In support of this motion, Defendants state:

1. Plaintiffs consent to the extension of time requested in this motion.

2. On May 1, 2012, defendants sought their initial extension of time, reporting that a number of class action lawsuits involving subject matter similar to this lawsuit (together with this action, the "Related Class Actions") are pending in courts around the country and that counsel for the various parties in the Related Class Actions (the "Parties") have reached agreement on the substantive terms of a settlement of the claims in the Related Class Actions, subject to: (a) finalizing settlement documentation, (b) obtaining final corporate approvals, and (c) implementing the procedural steps necessary to present proposed class action settlements to the multiple courts involved.

3. On May 2, 2012, the Court granted defendants an extension of time, to August 2, 2012, to respond to the Complaint.

4. Counsel for the parties now have obtained preliminary and final approval for five settlements and preliminary approval for twenty-four additional settlements in the Related Class Actions. Final approval hearings are scheduled in November and December, 2012 and January, 2013, for the twenty-four settlement agreements that have been preliminarily approved.

5. Counsel for the parties have been working with the Claims Administrator on mailed notice of those twenty-four settlements, which was made on July 31, 2012, on the publication of notice for those twenty-four settlements, which will occur in August, 2012, and on the construction of settlement websites and call centers, which will make information about the settlement agreements available to class members.

28 // /
111

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

6. Counsel for the parties also continue to work diligently to document and finalize settlement agreements in the remaining states, including Nevada. They expect to file a motion for preliminary approval of a Nevada agreement prior to October 31, 2012.

7. Defendants request a 90 day extension of time within which to respond to the Complaint, *i.e.*, an extension to and including October 31, 2012.

8. One previous extension of this deadline has been granted. No scheduling order has been entered in this action. The requested extension will not affect any other deadlines applicable in this case.

Wherefore, Defendants respectfully request entry of an order extending Defendants' deadline to respond to the Complaint by 90 days, *i.e.*, to and including October 31, 2012.

Dated this 1st day of August, 2012.

MCDONALD CARANO WILSON LLP

By: /s/ Matthew C. Addison
Matthew C. Addison, NV Bar No. 4201
100 West Liberty Street, 10th Floor
Reno, NV 89501
Telephone: (775) 788-2000
Facsimile: (775) 788-2020
E-mail: maddison@mcdonaldcarano.com
(Local Counsel)
Attorneys for Defendants
Qwest Communications Company, LLC,
Level 3 Communications, LLC,
Sprint Communications Company, L.P.
And Wiltel Communications, LLC

IT IS SO ORDERED.


GEORGE FOLEY, JR.
United States Magistrate Judge
Dated: August 2, 2012

CERTIFICATE OF SERVICE

I hereby certify, under penalty of perjury, that I am an employee of McDonald Carano Wilson LLP and that pursuant to LR 5-3 I caused to be electronically filed on this date a true and correct copy of the **DEFENDANTS' SECOND UNOPPOSED MOTION FOR ENLARGEMENT OF TIME TO RESPOND TO THE COMPLAINT** with the Clerk of the Court using the CM/ECF system, which will automatically e-serve the same on the attorney of record set forth below.

8 Steven E. Guinn
Sara K. Almo
9 LAXALT & NOMURA, LTD
9600 Gateway Drive
10 Reno, NV 89521-8953

Mario P. Lovato
LOVATO LAW FIRM, P.C.
8670 W. Cheyenne Ave., Ste. 120
Las Vegas, NV 89129

11 Dan Millea
12 ZELLE, HOFFMAN, VOELBEL,
13 & MASON, LLP
500 Washington Ave. South, Ste. 4000
Minneapolis, MN 66415

William T. Gotfryd
Arthur T. Susman
SUSMAN HEFFNER & HURST LLP
Two First National Plaza
Chicago, IL 60603

14 Charles R. Watkins
15 John R. Wylie
DONALDSON & GUINN
16 300 South Wacker Drive, Suite 1700
Chicago, Illinois 60606

DATED this 1st day of August, 2012.

\s\ Nancy A. Hoy
Nancy A. Hoy